

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH BRINTON,

Defendant.

4:22CR3013

ORDER

The court received Defendant's signed plea documents and set a change of plea hearing, but Defendant chose not to plead guilty at the scheduled plea hearing. The case is old, and it needs to be resolved.

Accordingly,

IT IS ORDERED:

- 1) If the defendant chooses to plead guilty, the plea hearing will be held before the undersigned magistrate judge in Courtroom 2, Lincoln Federal Building on June 30, 2023 at 1:00 p.m. Defendant is ordered to appear at this hearing.
- 2) The trial of this case is set to commence before John M. Gerrard, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on August 14, 2023, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 3) The government's expert witness disclosures as required under Rule 16 must be served on or before August 4, 2023.
- 4) The time between June 16, 2023 and August 14, 2023, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act because having reasonably assumed the defendant would plead guilty, the parties now require additional time to adequately prepare the case for trial, and the failure to grant additional time could result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under the court's local rules will

be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

June 21, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge